



Request for City Council Committee Action from the Department of Community Planning & Economic Development – Planning Division

Date: August 24, 2009

To: Council Member Gary Schiff, Chair, Zoning and Planning Committee
Members of the Committee

Referral to: Zoning and Planning Committee

Subject: At the August 4 Heritage Preservation Commission (HPC) meeting, the HPC approved the following historic variance application applied for by CSM Depot LLC.

1. Historic Variance to install one freestanding illuminated parking lot sign at the Milwaukee Road Depot and Freight House, 225 3rd Avenue South (BZH-25927).

Recommendation: The HPC adopted the staff recommendation and approved the application. The vote was unanimous.

Previous Directives: N/A

Prepared or Submitted by: John Smoley, Ph.D., City Planner, 612-673-2830

Approved by: Jack Byers, Planning Supervisor, 612-673-2634

Presenters in Committee: John Smoley, Ph.D., City Planner

Financial Impact (Check those that apply)

- No financial impact (If checked, go directly to Background/Supporting Information).
- Action requires an appropriation increase to the _____ Capital Budget or _____ Operating Budget.
- Action provides increased revenue for appropriation increase.
- Action requires use of contingency or reserves.
- Business Plan: _____ Action is within the plan. _____ Action requires a change to plan.
- Other financial impact (Explain):
- Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact (use any categories that apply)

Ward: 7

Neighborhood Notification: The Downtown Minneapolis Neighborhood Association was notified of this application by letter, mailed on July 22, 2009

City Goals: See staff report.

Comprehensive Plan: See staff report.

Zoning Code: See staff report.

Living Wage/Job Linkage: Not applicable.

Other: Not applicable.

Background/Supporting Information Attached:

Section 599.540 of the City of Minneapolis' Heritage Preservation Regulations states, "The City Council shall make the final decision on all historic variances." At the August 4 Heritage Preservation Commission (HPC) meeting, the HPC approved the requested historic variance application.

Supporting Material

Appendix A: Heritage Preservation Commission Actions

Appendix B: Staff Report and Staff Report Attachments

**CITY OF MINNEAPOLIS
CPED PLANNING DIVISION
HERITAGE PRESERVATION COMMISSION STAFF REPORT
BZH #25927**

FILE NAME: 225 3rd Avenue South, 425 2nd Street South, 300 Washington Avenue South, and 500 Washington Avenue South

CATEGORY/DISTRICT: Individual Landmark

CLASSIFICATION: Historic variance

APPLICANT: CSM Depot LLC, 612-395-7036

DATE OF APPLICATION: June 2, 2009

PUBLICATION DATE: July 28, 2009

DATE OF HEARING: August 4, 2009

APPEAL PERIOD EXPIRATION: August 14, 2009

STAFF INVESTIGATION AND REPORT: John Smoley, Ph.D., (612) 673-2830

REQUEST: Historic variance to install one freestanding illuminated parking lot sign

A. SITE DESCRIPTION AND BACKGROUND:

District/Area Information	
Historic District	n/a
Period of Significance	1800-1899
Individual Landmark	Locally designated in 1979
Neighborhood	Downtown West
Historic Property Information	
Address	225 3 rd Avenue South, 425 2 nd Street South, 300 Washington Avenue South, and 500 Washington Avenue South
Construction Date	1897-1899
Original Contractor	Unknown
Original Architect	Charles Frost
Historical Use	Railroad passenger depot
Historic Name	Milwaukee Road Depot and Freight House
Current Use	Hotel, ice rink, function hall, parking lot
Proposed Use	No change; additional sign sought

The Milwaukee Road Depot and Freight House is a three-story Renaissance Revival building and accompanying train shed. These buildings occupy the southern side of a large downtown block bordered by 3rd Avenue South, Washington Avenue South, 2nd Street South, and 5th

Avenue South (Attachment A). The depot and train shed were listed in the National Register of Historic Places in 1978 and designated as an individual Landmark by the City of Minneapolis in 1979. Built between 1897 and 1899, the structures represent one of the many railroads that operated in Minneapolis in the late nineteenth century and established the city as the industrial and commercial center of the upper Midwest.

In 2001 CSM Depot LLC completed the construction of an extensive commercial complex onsite consisting of a hotel, event center, water park, ice skating rink, and parking facility. The depot and train shed are the only two historic buildings on site. The remainder of the parcel consists of new construction.

In 2001 the Heritage Preservation Commission approved a master sign plan for the entire property. In 2009 the Heritage Preservation Commission approved an update to that plan (Attachment E). One condition of approval for that plan required the Applicant obtain a variance or comply with the Zoning Code's standards for parking lot signs. The current request is for a historic variance to permit a new freestanding illuminated parking lot sign.

The proposal requires a historic variance, rather than a zoning variance, because the parking lot was approved for this site under a historic variance granted in 1999. 225 3rd Avenue South is zoned C3A Community Activity Center District, DH Downtown Height Overlay District, and DP Downtown Parking Overlay District. The Zoning Code does not permit parking facilities like this without a conditional use permit, but the Heritage Preservation Regulations do permit uses approved through a historic variance. The purpose of the historic variance is to consider and review proposals that may need a zoning variance for properties that are locally designated.

The City's Heritage Preservation Regulations stipulate that the Heritage Preservation Commission shall hold a public hearing on each complete application for a historic variance. Following the public hearing, the commission shall make findings with respect to the proposed historic variance and shall submit the same together with its recommendation to the zoning and planning committee of the City Council. The City Council shall make the final decision on all historic variances.

B. PROPOSED CHANGES:

The proposed freestanding illuminated parking lot sign is 8 feet, 10 ³/₄ inches high; 30.63 square feet in area; back lit; and made of an aluminum frame with a plastic face cover (Attachment C). The aluminum would be painted black to match the existing train shed. The proposed sign would stand near the rear of the train shed in the parking lot. While the train shed is a character defining feature of the landmark, the parking lot is a resource that does not contribute to the significance of the historic property.

C. FINDINGS REQUIRED FOR A HISTORIC VARIANCE:

Before recommending approval of a historic variance, the commission shall make findings that the variance is:

- a) **compatible with the preservation of the property and with other properties in the area, and;**
- b) **that the variance is necessary to alleviate undue hardship due to special conditions or circumstances unique to the property and not created by the applicant.**

The depot and train shed are significant for their embodiment of events between 1800 and 1899, i.e. their representation of one of the many railroads that operated in Minneapolis in the late nineteenth century and established the city as the industrial and commercial center of the upper Midwest.

The proposed freestanding illuminated parking lot sign is 8 feet, 10 ³/₄ inches high; 30.63 square feet in area; back lit; and made of an aluminum frame with a plastic face cover (Attachment C). Additionally, one freestanding monument sign already exists on the east side of the parcel (Attachment E).

The applicant has not provided evidence of the presence of a similar freestanding sign on the parcel during the depot's period of significance (1800-1899). Electricity was rarely used to illuminate signage during the landmark's period of significance. Signs were not made of plastic during the period of significance.

The proposed sign is consistent with the very limited sign standards in *The Secretary of the Interior's Standards for the Treatment of Historic Properties* (Rehabilitation standards) that apply to the preservation, repair, and replacement of signs historically associated with the property in question.

The Minneapolis Heritage Preservation Commission Design Guidelines for On-Premise Signs and Awnings do not permit the proposed sign. The standards require signs accessory to parking lots be no more than 8 square feet in area, no more than 6 feet in height, not illuminated, and be limited to one per parking lot entrance. The standards also prohibit plastic face covers on signs.

In recommending approval with conditions of the 2009 master sign plan, staff recommended that the Minneapolis Heritage Preservation Commission Design Guidelines for On-Premise Signs and Awnings only be applied to this property's contributing resources, which make up roughly one-third of the parcel. The Heritage Preservation Commission concurred with this assessment and approved that application. Staff recommends this action be followed for this historic variance application and all further applications for signage on noncontributing resources onsite.

Section 543.150(b) of the Zoning Code has standards for principal use parking lots like the subject property. Signage accessory to principal use parking lots shall be limited to 1 non-illuminated sign per entrance, not to exceed 15 square feet in area and 15 feet in height. The proposed sign does not meet the height standard of the Zoning Code in this regard. Additionally, one freestanding, 16' 3" high, 43"x30" (9 square foot) backlit parking lot pole sign already exists at this entrance to the parking lot. The sign is not owned by the City of Minneapolis and stands on the depot's parcel. While the installation of another freestanding parking lot sign might seem redundant, the existing sign is identical to freestanding signs at the entrance to numerous public parking lots in Minneapolis. As such, it serves as a component of the City's public parking

wayfinding program, yet it contains no specific information that associates the lot with the depot. Numerous other signs at the entrance to the subject parking lot do this now.

Three non-illuminated freestanding portable parking signs generally stand on the eastern side of the lot along 5th Avenue South directing patrons to the site (Attachment F). These signs must comply with the Zoning Code's standards for portable signs. A non-illuminated awning with signs on three sides hangs from the east side of the building (Attachment F). Two non-illuminated freestanding portable and four backlit wall (kiosk) signs on either side of the parking lot gate also exist on the east side of the building (Attachment F). These signs were approved as part of the 2009 master sign plan. The applicant contends that these twelve signs and the existing freestanding sign have not been sufficient, especially at night. As evidence, the applicant has provided comments from past patrons (Attachment B) who have experienced difficulty finding the parking lot in question.

While the proposed sign would be located only 10 feet from the gutter of 5th Avenue South, Zoning staff has determined that it would comply with Zoning Code section 543.390(b) (Site triangle) which ensures freestanding signs placed at vehicle intersections do not obstruct drivers' views of approaching, merging, or intersecting traffic.

Despite these factors, the proposed sign is compatible with the preservation of the depot and nearby historic properties. The sign will be made of metal that is painted black to match the train shed, yet the sign will not create a false historical appearance by a) utilizing backlit illumination; b) using plastic; and c) standing in the parking lot which clearly does not date back to the landmark's period of significance.

Additionally, the variance is necessary to alleviate undue hardship due to special conditions or circumstances unique to the property and not created by the applicant. The applicant has submitted numerous public comments that indicate that patrons of the hotel and other onsite enterprises have experiences genuine difficulty finding the parking lot onsite, especially at night, even with the presence of the other existing signage onsite (Attachment B). The block is unnaturally large, being the size of two standard downtown blocks, and the 242,542 square foot subject parcel makes up 98% of this block (Attachment C). Requiring the Depot's parcel to abide by sign guidelines designed for far smaller downtown parcels is a hardship not experienced by most other downtown enterprises. The applicant did not create the parcel's size. Retention of the large parcel with its contributing and noncontributing resources helps ensure that the historic portions of the site maintain a symbiotic relationship with the non-historic portions of the site, thereby helping ensure the financial health and physical upkeep of all onsite enterprises.

D. PUBLIC COMMENT

The applicant has submitted numerous public comments that indicate that patrons of the hotel and other onsite enterprises have experiences genuine difficulty finding the parking lot onsite, especially at night, even with the presence of the other existing signage onsite (Attachment B). The Downtown Minneapolis Neighborhood Association (DMNA) has written a letter in support of the project as proposed (Attachment G).

E. STAFF RECOMMENDATION:

Staff recommends that the Heritage Preservation Commission **adopt** staff findings and **approve** a Historic variance for the proposed work subject to the following conditions:

1. CPED-Planning Preservation Staff shall review and approve the final plans and elevations prior to building permit issuance.

Attachments

- A. Vicinity Map (prepared by staff)
- B. Application (submitted by Applicant)
- C. Plans (submitted by Applicant)
- D. Letter to Councilmember and Neighborhood Group (submitted by Applicant)
- E. Master Sign Plan (on record in staff files)
- F. Photos of Existing Parking Lot Signs (prepared by staff)
- G. Public Comment (submitted by applicant)



- Residents
- Business
- Government
- Visitors

311 Information

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Minneapolis Heritage Preservation Commission



Actions

Regular Meeting

4:30 p.m., Tuesday, August 4, 2009

Room 317, City Hall

350 South Fifth Street

Minneapolis, MN 55415-1385

Board Membership: Mr. Chad Larsen, Mr. John Crippen, Ms. Denita Lemmon, Ms. Kathleen Anderson, Ms. Meghan Elliott, Ms. Christina Harrison, Mr. Kevin Kelley, Ms. Ginny Lackovic, Ms. Linda Mack, and Ms. Deborah Morse-Kahn.

Committee Clerk: Diana Armstrong, 612.673.2615

Commissioners Larsen and Crippen were absent and excused from tonight's meeting.

The meeting was called to order at 4:35 p.m. by Acting Chair Lemmon.

Minutes were approved for the meeting held on July 21, 2009

Public Hearings

For Consent

1. 2608 Blaisdell Avenue South, Calvary Baptist Church – Individual Landmark, Ward 6

Staff: Chris Vrchota, 612.673.5467

Certificate of Appropriateness for construction of accessible ramp and parking lot improvements

ACTION: Adopt staff findings and **approve** a Certificate of Appropriateness for the proposed work subject to the following conditions:

- o The mortar and joints on the portion of the west wall that would be covered by the proposed ramp shall be inspected and any necessary re-pointing done prior to the construction of the ramp.

- The wooden ramp and landing structure shall be regularly maintained, including repair of damaged or degraded components and reapplication of stain as needed.
- All materials and workmanship must meet the Secretary of Interior Standards.
- CPED-Planning Preservation Staff shall review and approve the final building and landscaping plans and elevations prior to building permit issuance.
- The Applicant shall obtain all necessary zoning approvals prior to the start of work.

For Presentation

2. 225 3rd Avenue South, Milwaukee Road Depot and Freight House – Individual Landmark, Ward 7

Staff: John Smoley, 612.673.2830

Historic variance to install one freestanding illuminated parking lot sign

ACTION: Adopt staff findings and **approve** a Historic Variance for the proposed work subject to the following conditions:

- CPED Planning Preservation Staff shall review and approve the final plans and elevations prior to building permit issuance.

Information Items

3. 5101 Minnehaha Avenue, Building #9, (Infirmary and Domiciliary #9) – Ward 12

Staff: John Smoley, 612.673.2830

Proposed design of the building intended to replace #9.

New Business

Adjournment

Meeting was adjourned at 5:11 p.m.

The Next Heritage Preservation Commission Meeting: August 18, 2009.

Heritage Preservation Commission decisions are final unless appealed.

Attention: The meeting site is wheelchair accessible: if you need other disability related accommodations, such as a sign language interpreter or materials in alternative format, please contact 612.673.3220 (673.2157) TTDY/VOICE at least five days prior to the meeting.

Attention: If you want help translating this information, call: **Hmong** – Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koy dawb, hu 612.673.2800; **Spanish** – Atención. Si desea recibir asistencia gratuita para traducir esta información, llama 612.673.2700; **Somali** – Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612.673.3500.